

REMARKS

Claims 1 and 4-16 are pending in the subject application.

Applicant has amended claims 1, 15, and 16. The changes to the claims made herein do not introduce any new matter.

Rejections Under 35 U.S.C. § 103(a)

Applicant respectfully requests reconsideration of the rejection of claims 1, 4-9, 11, and 14-16 under 35 U.S.C. § 103(a) as being unpatentable over *Matsuda et al.* (“*Matsuda*”) (U.S. Patent Application Publication No. 2002/0133573 A1) in view of *Traversat et al.* (“*Traversat*”) (U.S. Patent No. 6,119,157). As will be explained in more detail below, the combination of *Matsuda* in view of *Traversat* would not have rendered the subject matter defined in independent claims 1, 15, and 16, as amended herein, obvious to one having ordinary skill in the art.

In response to the Examiner’s comments regarding the “unique information” specified in the claims (see the “Response to Arguments” section on pages 2-3 of the Office Action), Applicant notes that the thrust of the argument made in the prior paper was merely that the claimed setting information represented information such as print quality, which is significantly different from the information required for bootstrapping (for connecting to a network). To define this difference with more particularity, Applicant has amended independent claim 1 to specify that the setting information includes unique information for a *network device type*. Applicant has amended independent claims 15 and 16 along the same lines that claim 1 has been amended.

The claimed subject matter is patently distinguishable from the applied references for at least the following two reasons. First, *Matsuda*’s configuration allows a server to search for boot information appropriate for a target client and transmit the boot information to the target client. The *Matsuda* reference, therefore, fails to disclose the concept of a client

selecting boot information appropriate for itself from among multiple pieces of boot information corresponding to multiple clients.

The claimed subject matter is intended to set setting information for a device connected to a network through a single communication, and the claimed subject matter is incompatible with the *Matsuda* reference, which uses one-to-one communication.

Second, the *Traversat* reference discloses a technique for updating an application program, and even if no update data exists, the application program is operable, and a personal computer (PC) itself is also operable. Further, a server broadcasts update information without waiting for a request from the PC.

The claimed subject matter, on the other hand, relates to the setting of setting information in a network device. If the setting information is not set, the network device does not operate, but instead obtains setting information, which is available when the network device is connected to a network, as initial values, and stores the setting information in a memory. Further, at the request of the network device, the setting information is transmitted to be stored in the memory.

To define the above-discussed features more precisely, Applicant has amended claim 1 to specify that 1) the receiver module stores the setting information as initial values in the memory, and 2) the update module updates the initial values of the setting information stored in the memory, based on the received or selected setting information. Applicant has amended claims 15 and 16 along the same lines that claim 1 has been amended.

The result of the combination of the *Matsuda* and *Traversat* references would not have included each and every feature of the presently claimed subject matter. Thus, the combination of *Matsuda* in view of *Traversat* would not have rendered the presently claimed subject matter obvious to one having ordinary skill in the art.

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Accordingly, for at least the foregoing reasons, independent claims 1, 15, and 16, as amended herein, are patentable under 35 U.S.C. § 103(a) over the combination of *Matsuda* in view of *Traversat*. Claims 4-9, 11, and 14, each of which ultimately depends from claim 1, are likewise patentable under 35 U.S.C. § 103(a) over the combination of *Matsuda* in view of *Traversat* for at least the same reasons set forth above regarding claim 1.

Applicant respectfully requests reconsideration of the rejection of claim 10 under 35 U.S.C. § 103(a) as being unpatentable over *Matsuda* in view of *Traversat*, and further in view of *Parthesarathy et al.* (“*Parthesarathy*”) (U.S. Patent No. US 6,353,926 B1). Claim 10 depends from claim 1. The *Parthesarathy* reference does not cure the above-discussed deficiencies of the combination of the *Matsuda* and *Traversat* references relative to the subject matter defined in present claim 1. Accordingly, claim 10 is patentable under 35 U.S.C. § 103(a) over *Matsuda* in view of *Traversat*, and further in view of *Parthesarathy* for at least the reason that this claim depends from claim 1.

Applicant respectfully requests reconsideration of the rejection of claims 12 and 13 under 35 U.S.C. § 103(a) as being unpatentable over *Matsuda* in view of *Traversat*, and further in view of *Sherer et al.* (“*Sherer*”) (U.S. Patent No. 6,115,376). Claims 12 and 13 ultimately depend from claim 1. The *Sherer* reference does not cure the above-discussed deficiencies of the combination of the *Matsuda* and *Traversat* references relative to the subject matter defined in present claim 1. Accordingly, claims 12 and 13 are patentable under 35 U.S.C. § 103(a) over *Matsuda* in view of *Traversat*, and further in view of *Sherer* for at least the reason that these claims depend from claim 1.

Conclusion

In view of the foregoing, Applicant respectfully requests reexamination and reconsideration of claims 1 and 4-16, as amended herein, and submits that these claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at **(408) 749-6902**. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. MIPFP044).

Respectfully submitted,
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